

FORM TO BE USED BY A PRISONER FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MR. DAVID M. MONTGOMERY ID# 412-799

MT-C / 8800 ROX BURY ROAD

HAGERSTOWN MARYLAND

21746

(Full name, prison identification
number and address of the plaintiff)

v.

Civil Action No. ELH-14-681
(Leave blank on initial filing to be filled in by Court.)

MARYLAND CORRECTIONAL TRAINING CENTER

WARDEN MR. J. P. MORGAN

OFFICER SGT MR. T. RICHER

ALL AM AND PM OFFICERS THAT
WORK HOUSING UNIT # 5B

(Full name and address of the defendant(s))

SINCE 2-20-14 DON'T KNOW NAMES OF
CORRECTIONAL OFFICERS

COMPLAINT

I. Previous lawsuits

- A. Have you filed other cases in state or federal court dealing with the same facts as in this case or against the same defendants?

YES ☐

NO ☒

- B. If you answered YES, describe that case(s) in the spaces below.

1. Parties to the other case(s):

Plaintiff: _____

Defendant(s): _____

FILED _____ ENTERED _____
LODGED _____ RECEIVED _____

MAR 06 2014

BY WJ
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

2. Court (if a federal court name the district; if a state court name the city or county): _____
3. Case No.: _____
4. Date filed: _____
5. Name of judge that handled the case: _____
6. Disposition (won, dismissed, still pending, on appeal): _____

7. Date of disposition: _____

II. Administrative proceedings

- A. If you are a prisoner, did you file a grievance as required by the prison's administrative remedy procedures?

YES ☒ NO ☐

1. If you answered YES:

- a. What was the result? Nothing, no one took any
ACTIONS AT ALL since I filed the ARP 2-26-14
AND NO ACTIONS still haven't been TAKEN
- b. Did you appeal?

YES ☐ NO ☒

2. If you answered NO to either of the questions above, explain why:

I only ask the INMATE grievance
office AND people to have me moved from MC-C!

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THE COURT'S CLERK >

MARCH, 3, 2014

Plaintiff:

I AM DAVID MONTGOMERY IO#412-797

MCI-C 18800 ROX BURY ROAD

HAGERSTOWN MARYLAND 21746

I AM filing this complaint on MARYLAND Correctional Training Center. Because I MR. MONTGOMERY have wrote to the officer's on Housing unit #SB and I gave the AM and pm shift officer's a letter. Because me Requesting a single cell. Because my safety and welfare me wanting to get protective custody cause my life being in danger. Because my past and what I have been through cause GANG members. Also to protect my personal information do to my criminal case # 06-K-13-043213 and to prevent another inmate making up a lie about saying I told him some thing about my case and could write the court's and try to testify against me. Also cause even hearing that my Judge just granted me a hearing in front another Judge. The inmates would try to use me to get out of prison. once again making up a lie.

I don't know these officer's name's BUT IT goes for all the one's that have been working AM and pm shift since I wrote them letter 2-25-14 and then I filed a (ARP) Administrative Remedy procedure on 2-26-14 and I am sending my copy to the court's. The officer ^{SGT} T. Richer signed it and he didn't take any action and I checked the Emergency Request Box Also.

and my (ARP) should have went to this prison's Warden MR. J. P. Morgan and he Response's back. Well I haven't heard back from him or any one and Today's 3-3-14 Also No Action's have been Taken do to me being put in a cell by self. That's a RITE I have and it's been violated and still is being violated. Today I MR. Montgomery gave the officer working Housing unit # 5B - Another (ARP) During lunch time when this officer collected the lunch Trays and I don't know his name. But I am sure this prison should have it on Record in there log Book. Well I didn't even get my copy that a Sgt or U should have signed and the officer working this Tier should have giving me my copy Back. But that never happened nor did any action's take place to be being moved to a single cell. Because of my situation. So Today 3-3-14 During my unit's and my Tier's Walk's to get are Rec Time. I Handed a officer a letter I wrote and I don't know his name that put me in hand cuff's Taking me to the Rec Chage. But it was saying that I was in Danger to my life and I couldn't be in a cell with any one else. Because my past and to protect my Information do to while I am locked up for. Also Cause me being in to it with gang member's. Another thing that my cell mate was a gang member and I shouldn't be in a cell with him and it's on Record.

My Constitutional Rights Have Been Violated
 and I am not sure under what Amendments.
 But the civil court's I am sure can let me know.
 Nothing has happened to me. But the prison
 is aware and hasn't done any thing about this
 so that's why I am bringing forth this complaint.
 I was almost killed before by gang members.
 These officers here at MCTC don't do there job
 the way they should. Now if some thing was to
 happen to me then these officers have been aware
 and did not prevent a situation from happening.
 If I didn't bring this complaint to the court's
 then there would still nothing be done about it.
 Now the civil court's can get on this prison do
 to these people not doing there job right.

#1 Defendant's:

#1 WARDEN MR. J. P. MORGAN

#2 OFFICER SGT MR. T. RICKER COLL

#3 AM Shift officer's that work Housing unit #5 B

#4 pm shift officer's that work Housing unit #5 B

This Complaint Explains the problem and points out
 How each officer took place in this situation. Dealing
 with this complaint against MARYLAND CORRECTIONAL TRAINING
 CENTER. This is A TOUR CLAIM

IF I MR. MONTGOMERY don't fight for my RIGHTS
 then some thing BAD could happen and the prison could

GET AWAY WITH IT.

I MR. Montgomery Request that once the court's Review this to please see to it that through the court's power to have me moved out of my prison? so no one can have Retaliation against me.

I MR. Montgomery am even sending a copy of my prison Inmate Account for the past six months.

I MR. Montgomery am housed on Housing unit 5B-1-14-13 at this time on lock up Discipline Segregation. Because some thing I didn't do. But that Beside is this Complaint. I have wrote the Inmate Grievance office cause the Reason why I was put on lock up for some thing I had nothing to do with.

I MR. Montgomery have wrote the Warden, Commissioner, Captain, Judge, Attorney, Prison, Parole Commission, Inmate Grievance office, Case manager, Asking them to please have me moved out of this prison cause my problems and I Explained why. But no Action's have been Taken! I am waiting to go back to court in front of another Judge for a post conviction David Montgomery ID# 412-297 Hearing! MT-C 18800 Roxbury Road
Hagerstown Maryland 21746

III. Statement of claim

(Briefly state the facts of your case. Include dates, times, and places. Describe what each defendant did or how he/she is involved. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

MARYLAND CORRECTIONAL TRAINING CENTER (MCT-C) PRISON HAS VIOLATED MY CONSTITUTIONAL RIGHTS. Because me wanting protective custody do to my safety and welfare and life being in danger. Also to protect my legal information. But I don't know the Amendments. This is A Tort Claim for \$10,000 Dollars cause the Risk of my life. Because the warden wor did none of these officer's TAKE any ACTION by putting me in A cell BY my self and still haven't yet as of Today 3-3-14.

IV. Relief

(State briefly what you want the Court to do for you.)

\$10,000 Dollars cause the Risk I am TAKEN if some thing happened. Also for the court's to come down on this prison the warden and the officer's that work housing line ASB AND there Bossies for MCT-C.

SIGNED THIS 3 day of, MARCH 2014

IF IT HELPS TO have me moved out of MCT-C prison any faster the Judge in my case is

Judge MR. THOMAS F. STANFIELD
CIRCUIT COURT FOR CARROLL COUNTY
55 NORTH COURT STREET
WESTMINSTER MARYLAND 21157

DAVID MICHAEL MONTGOMERY
(original signature of plaintiff)

MCT-C ID# 412-297

18800 ROX BURY ROAD

HAGERSTOWN MARYLAND

(address of plaintiff)

21746

7. List any other major monthly expenses that you are actually paying.

Description

Monthly payment

NONE

8. Attach a certified statement of your prison account for the past six months. If you are unable to do this, one will be requested from prison officials.

I DECLARE UNDER THE PENALTIES OF PERJURY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.

MARCH 3, 2014
(date)

David Michael Montgomery
(original signature of plaintiff)

MCJc ID# 412-797

18800 ROXBURY ROAD

HAGERSTOWN MARYLAND
(address of plaintiff)

21246

Officer's Name: Print and Signature

Date

CASE NO. _____

MARYLAND DIVISION OF CORRECTION
REQUEST FOR ADMINISTRATIVE REMEDY
(Instructions for completing this form are on the back)

TO: ☐ Warden of InstitutionEmergency Request: ☒ Check only if your complaint poses a continued threat to your health, safety, or welfare.FROM: MONTGOMERY David m 412797 MCT-C
Last Name First Name Middle Initial DOC Number InstitutionHousing Location SB-1-14-B Protective Custody ☐ Administrative Segregation ☐ Disciplinary Segregation ☒**Part A - INMATE REQUEST**

I need a single cell to myself due to my safety and welfare
As soon as possible. I also want to get my hygien and
legal books out of my property cause it's my right to have them?
Also the 1st commissary I have in my stuff cause I don't have any
2-26-14
Date

David Montgomery 4/27/2014
Signature of Inmate

Part B - RESPONSE

Date

Signature of Warden

You may appeal this response by following the procedure prescribed on the back of this form.

Part C - RECEIPT

Case No. _____

RETURN TO: _____
Last Name First Name Middle Initial DOC Number Institution

I acknowledge receipt of your complaint dated _____ in regard to: _____

Date

Institutional ARP Coordinator

Original: White Institutional ARP Coordinator
Copy: Canary - Inmate